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December 14, 2006

The Hon. James Orenstein
 Magistrate Judge
 U.S. District Court - EDNY
 225 Cadman Plaza East
 Brooklyn, NY 11201

RE: In re Vitamin C Antitrust Litigation; Master File 06-MD-1738

Dear Judge Orenstein:

Enclosed herewith please find a proposed Stipulation and Order being jointly submitted for Your Honor's approval and signature by all Defendants and Indirect Purchaser Plaintiff Liaison counsel with respect to scheduling matters in the *Audette v. Hebei Welcome Pharmaceutical Co., Ltd., et al.* and *Philion v. Hebei Welcome Pharmaceutical Co., Ltd.*, cases.

Respectfully,

Darrell Prescott
 Principal

BAKER & MCKENZIE LLP
 Counsel for Defendant Hebei
 Welcome Pharmaceutical Co., Ltd.

Attachment

cc: All counsel all cases via ECF

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Electronically filed

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
IN RE
VITAMIN C ANTITRUST LITIGATION

MASTER FILE 06-MD-1738
(DGT)(JO)

This Document Relates To:

-----X
DENNIS AUDETTE,
Plaintiff,
vs.

HEBEI WELCOME PHARMACEUTICAL
CO., LTD., *et al.*,
Defendants.

**STIPULATION AND ORDER
REGARDING SCHEDULING AS TO
CERTAIN PLAINTIFFS ALLEGING
INDIRECT PURCHASER CLAIMS**

-----X
LINDA PHILION, *et al.*
Plaintiffs,
vs.

HEBEI WELCOME PHARMACEUTICAL
CO., LTD., *et al.*,
Defendants.

-----X

Counsel in *Audette v. Hebei Welcome, et al.* ("Audette) and *Philion, et al., v. Hebei Welcome, et al.* ("Philion") having met and conferred on December 1, 2006 with respect to outstanding discovery and an orderly schedule for dealing with expert reports, class certification, and other matters relating to indirect purchaser claims in the above-captioned cases; and

There being several motions pending before the Court which might affect the nature or scope of a class or the forum in which the claims made in these cases must be litigated;

IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel as follows:

1. Plaintiffs in *Audette* and *Philion* shall submit their expert report(s) on class certification and produce to Defendants all non-privileged documents provided to, referred to or relied upon by each expert no later than 90 days after the latest of the following three events:

(a) the Court's decision with respect to (i) Defendant Northeast Pharmaceutical Group Co., Ltd.'s *Motion to Compel Arbitration* and (ii) the *Motion to Compel Arbitration and for a Stay of Litigation* filed by Defendants Jiangsu Jiangshan Pharmaceutical Co., Ltd, et al., both filed November 17, 2006 (Docket Nos. 94 and Nos. 98);

(b) the Court's decision with respect to *Defendants' Motion to Dismiss the Complaint with Prejudice Pursuant to Federal Rule of Civil Procedure 12(b)(1) and (6)*, filed September 22, 2006 (Docket #66); and

(c) the Court's decision with respect to Defendants Motion to Dismiss Plaintiff The Ranis Company Inc.'s Claim for Damages Under the Federal Antitrust Laws or, Alternatively, to Strike Class Action Allegations, filed September 22, 2006 (Docket #64).

2. Following production of Plaintiffs' expert report(s) and related documents as provided in paragraph 1 of this Stipulation and Order, Defendants shall have 90 days to engage in discovery of Plaintiffs' experts and such other discovery on class certification issues as Defendants may deem necessary.

3. Defendants' expert report(s) on issues of class certification, together with all non-privileged documents provided to, referred to or relied upon by each expert, shall be produced 90 days following the production of Plaintiffs' expert reports on class certification issues following which Plaintiffs in the above-captioned cases shall have 90 days to engage in discovery related to such expert report(s).

4. Plaintiffs' motion to certify a class shall be made no later than 90 days following the production of Defendants' expert report(s). Defendants' response brief on class certification issues shall be served no later than 30 days after service of Plaintiffs' motion.

5. Plaintiffs' reply brief in support of class certification shall be served no later than 30 days after service of Defendants' motion in opposition to Plaintiffs' motion for class certification, and expert report(s) on issues of class certification, together with all non-privileged documents provided to, referred to or relied upon by each expert in connection with Plaintiffs' reply brief shall be produced to Defendants during this 30 day period.

6. Service of all papers contemplated by this stipulation and order shall be made by email to the extent reasonably practical and by hand delivery or overnight air courier.

7. The date of December 15, 2006, specified for commencement of the certification motion process shall be adjourned and rescheduled to the date determined pursuant to paragraph 1 hereof, and all other dates and deadlines set forth by or pursuant to Pretrial Order No. 2 insofar as applicable to the above-captioned cases, shall be adjourned and rescheduled accordingly, with revised dates to be determined as between parties with approval by Court.

Dated: New York, New York
December 12, 2006


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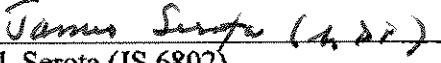
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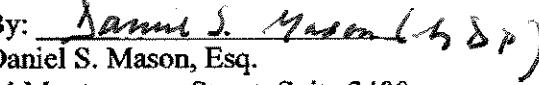
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SO ORDERED

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CERTIFICATE OF SERVICE

I hereby certify that copies of Stipulation and Order Regarding Scheduling as to Certain Plaintiffs Alleging Indirect Purchaser Claims were served by electronic mail this 14th day of December 2006, on all counsel listed in the attached Service List.



Darrell Prescott